

REMARKS

This responds to the Office Action mailed on November 18, 2004, and the references cited therewith.

Applicants have amended claims 2-37; as a result, claims 2-37 remain pending in this application. The Examiner has rejected claims 2-3, 11-12, 20-21, and 29-30 as being anticipated under 35 USC § 102(b) by US Patent No. 5,758,341 to Voss (the '341 patent). The Examiner has also rejected claims 4-10, 13-19, 22-28, and 31-36 as unpatentable under 35 USC § 103(a) as being unpatentable over the '341 patent and AAPA. Reconsideration is respectfully requested in view of the following.

Claim 2, as amended recites:

A method, comprising:

- a) generating a plurality of error definition records, each error definition record including error defining criteria for determining when a field of a plurality of fields of an accession record of a plurality of accession records includes a defined error;
- b) storing the plurality of error definition records in a database;
- c) retrieving one of the plurality of accession records;
- d) retrieving one of the plurality of error definition records;
- e) determining whether a field of the plurality of fields of the retrieved accession record includes an error as defined by the error defining criteria included in the retrieved error definition record; and
- f) storing an error indicator in a database for each field of the plurality of fields of a retrieved accession record that includes an error as defined by an error defining criteria included in a retrieved error definition record, the error indicator identifying the error definition record, the accession record, and the field.

It is respectfully noted that anticipation under 35 USC § 102 requires the disclosure in a single prior art reference of each element of the claim under consideration. *See Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). It is not enough, however, that the prior art reference discloses all the claimed elements in isolation. Rather, “[a]nticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added). “The *identical invention* must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); MPEP § 2131 (emphasis added).

Applicants have amended claim 2-37 to more clearly recited their invention. The present invention as recited by amended claim 2 includes generating error definition records where each record defines criteria for determining when a field of an accession record includes a defined error. The method evaluates accession records using the error definition records and criteria to determine if a field includes a defined error and then stores an error indication where the indication identifies the associated field, field’s accession record, and corresponding error definition record including the error definition. The ‘341 patent teaches (see col. 6, lines 54 to 56) selecting one or more check boxes “to individually select error codes that will be worked on the transactions of mainframe 20”. (Col. 6, lines 55 to 56 of the ‘341 patent). Thus a user the ‘341 patent is limited to the predefined and fixed number of error codes presented for selection on a “setup screen” (Col. 6, line 53 of the ‘341 patent).

The ‘341 patent does not teach, suggest, or motive a person to generate a plurality of error type records where each error record defines criteria for determining whether one or more fields of an accession record represent a “DEFINED” error. The ‘341 patent only permits a person to select one or more predefined, pre-programmed error codes not generate their own DEFINED error criteria. The ‘341 patent also does not teach retrieving one of these created and stored error criteria records to apply the DEFINED criteria against a retrieved accession record. The ‘341 patent only permits a user to select the one or more fixed error codes. Further the ‘341 patent does not stored an error indicator as recited by claim 2. Applicants’ contend that these

differences are substantial and that the '341 patent accordingly does not teach, suggest, or motivate a person to practice the invention recited by claim 2.

Claims 3-10:

Claims 3-10 are dependent directly or indirectly on claim 2. Accordingly, Applicants contend these claims are also allowable over the '341 patent and respectfully request reconsideration of these claims.

Claim 11:

Claim 11 is similar to claim 2 where claim 11 recites a system. Applicants respectfully contend that claim 11 is allowable over the '341 patent for the reasons recited for claim 2.

Claims 12-19:

Claims 12-19 are dependent directly or indirectly on claim 11. Accordingly, Applicants contend these claims are also allowable over the '341 patent and respectfully request reconsideration of these claims.

Claim 20:

Claim 20 recites an article of manufacture that performs the method recited by claim 2. Applicants respectfully contend that claim 20 is allowable over the '341 patent based on the arguments presented above for claim 2.

Claims 21-28:

Claims 21-28 are dependent directly or indirectly on claim 20. Accordingly, Applicants contend these claims are also allowable over the '341 patent and respectfully request reconsideration of these claims.

Claim 29:

Claim 29 recites an method including some limitation recited in claim 2. Applicants respectfully contend that claim 29 is allowable over the '341 patent based on the arguments presented above for claim 2.

Claims 30-37:

Claims 30-37 are dependent directly or indirectly on claim 29. Accordingly, Applicants contend these claims are also allowable over the '341 patent and respectfully request reconsideration of these claims.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Merle Richman, Applicants' Attorney at 858 320-2030 so that such issues may be resolved as expeditiously as possible.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at 858-551-2030 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-1119.

Respectfully submitted,

LALE ELMAS WHITE ET AL.

By their Representatives,

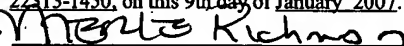
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Date January 9, 2007

By 

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 9th day of January 2007.


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